

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JUSTIN M. HICKOX, :  
Plaintiff, :  
v. : Case No. 3:14-cv-55-KRG-KAP  
PENNSYLVANIA DEPARTMENT OF :  
CORRECTIONS, et al., :

Memorandum Order

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72.

The Magistrate Judge filed a Report and Recommendation on July 26, 2018, ECF no. 54, recommending that the plaintiff's motion for summary judgment, ECF no. 48, be denied. The parties were notified that pursuant to 28 U.S.C. § 636(b)(1) they had fourteen days to file written objections to the Report and Recommendation. No objections were filed.

After review of the record of this matter and the Report and Recommendation under the "reasoned consideration" standard, see EEOC v. City of Long Branch, 866 F.3d 93, 100 (3d Cir.2017) (standard of review when no timely and specific objections are filed), the following order is entered:

AND NOW, this 20<sup>th</sup> day of September, 2018, it is

ORDERED that the plaintiff's motion for summary judgment, ECF no. 48, is denied. The Report and Recommendation is adopted as the opinion of the Court. The matter remains with the Magistrate Judge for pretrial proceedings.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style with some capital letters.

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KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

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301 Institution Drive  
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